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नई दिल्ली, शनिवार, सितम्बर 21, 1985/भाद्र 30, 1907

No, 23]

NEW DELHI, SATURDAY, SEPTEMBER 21, 1985/BHADRA 30, 1907

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (iii) PART II—Section 3—Sub-section (iii)

(संघ राज्य क्षेत्र प्रशासनों को छोड़कर) केन्द्रीय अधिकारियों द्वारा जारी किए गए आदेश और अधिसूचनाएँ
Orders and Notifications issued by Central Authorities (other than Administrations
Union Territories)

भारत निर्वाचन आयोग

नई दिल्ली, 2 सितम्बर, 1985

आ. अ. 60:—नाम प्रतिनिधित्व अधिनियम, 1951 की धारा 106 के अनुसरण में निर्वाचन आयोग, 1985
को निर्वाचन अर्जी सं. 2 में दिया गया गुजरात उच्च न्यायालय, अहमदाबाद का तारीख 10 जुलाई, 1985 का आदेश प्रकाशित
करता है।

[संख्या 82/गु.ज.ना.स./2/85]

ELECTION COMMISSION OF INDIA

New Delhi, the 2nd September, 1985

O.N. 60.—In pursuance of section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the order, pronounced on 10th July, 1985 by the High Court of Gujarat at Ahmedabad in Election Petition No. 2 of 1985.

[No. 82/GJ-HP/2/85]

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
(DIST. SURENDRANAGAR)

ELECTION PETITION NO. 2 of 1985

Election Petition under sections 80, 80(A), 81 and 100 of the Representation of People Act, 1951, Challenging Parliamentary election to 2-Surendranagar Parliamentary Constituency.

Satubha K. Vaghela,

Hindu, Adult,
residing at Surendranagar

—Petitioner.

Versus.

1. Zala Digviaysinhji
Pratapsinhji,
Rajmehel, Vankaner,
Pin Code- 363 621.

2. The Returning Officer,
1-Surendranagar,
Parliamentary Constituency,
Collector Office,
Surendranagar.

—Respondents.

Election Petition No. 2 of 1985

July 10, 1985

R.C. MANKAD

Mr. P.S. Champaneri—for the petitioner.

Mr.D.D. Vyas—for respondent No. 1.

Mr. R. M. Vin, Government Pleader—for respondent No. 2.

COARM: R.C. MANKAD, J.
(July 10, 1985)

ORAL JUDGEMENT:

The petitioner has filed this petition challenging the election of respondent No. 1 to the House of the People from No. II Surendranagar Parliamentary constituency.

The petitioner stood as a candidate for election to the House of People held in November, 1984. The election to the House of People from No. II Surendranagar Parliamentary Constituency was held as per the following schedule:

- (a) Date of filing nomination paper—November 21 to 27, 1984.
- (b) Date of scrutiny of nomination papers—November 28, 1984.
- (c) Last date of withdrawal of candidatures—November 30, 1984.
- (d) Date of poll—December 24, 1984.
- (e) Date of declaration of result of the election—December 28, 1984.

The petitioner filed his nomination paper for the above constituency before the Returning Officer at Surendranagar on November 22, 1984. Six other candidates including respondent No. 1 filed their nomination papers before the Returning Officer on different dates between November 21 and November 27, 1984. The Petitioner did not make and subscribe an oath or affirmation as required by Article 84 (a) of the Constitution of India. The Returning Officer therefore, wrote letter, Annexure 'E' dated November 22, 1984 to the petitioner informing him that he had not made and subscribed an oath or affirmation as required by Article 84 (a) of the Constitution and requested him to do so either before him or before any of the persons authorised by the Election Commission in that behalf on any day before the date appointed for scrutiny of nominations. In reply to this letter, the petitioner wrote letter, Annexure 'C', dated November 22, 1984 to the Returning Officer stating to the effect that it was not necessary to make and subscribe an oath or affirmation before the day appointed for scrutiny of nominations. According to the petitioner, he was required to make and subscribe an oath or affirmation only after he was elected as member of the Parliament and before he enters the Parliament. The petitioner submitted that the requirement of making and subscribing an oath or affirmation before the date appointed for scrutiny of nominations was illegal. It is not in dispute that the petitioner did not make and subscribe an oath or affirmation before the date appointed for scrutiny of nominations. However, when the Returning Officer commenced scrutiny of nominations on November 28, 1984 the petitioner expressed willingness to make and subscribe an oath or affirmation and addressed letter, Annexure 'D', dated November 28, 1984 to the Returning Officer. In this letter the petitioner reiterated his stand that it was not necessary to make and subscribe an oath or affirmation before the date appointed for the scrutiny of nomination but expressed his willingness to do so in deference to the wishes of his workers. The petitioner annexed to the letter form of oath or affirmation which was signed by him. However, since the petitioner had not made and subscribed an oath or affirmation before the day appointed for scrutiny of nominations, the Returning Officer, by his order, Annexure 'F', dated November 28, 1984 rejected the petitioner's nomination, on December 24, 1984 poll was held as scheduled. After counting of votes respondent No. 1 Zala Digvijaysinhji Pratapsinhji who secured the largest number of votes, namely, 1,91,632 was declared elected from No. II Surendranagar Parliamentary Constituency, the petitioner has filed this petition challenging the election of respondent No. 1.

Respondent No. 1, the elected candidate, has resisted this petition. He has denied the allegations made in the petition and contended that the Returning Officer was right in rejecting the nomination of the petitioner. However, at the hearing of this petition, a statement was made on behalf of both the respondents admitting the facts stated in paragraphs 4, 5 and 7 of the petition. Respondents did not dispute that the petition was filed within the prescribed period of limitation. They also did not dispute that the petitioner had filed his nomination and that the Returning Officer had addressed letter, Annexure 'B', dated November 22, 1984 to the petitioner informing him that he had not made and subscribed oath or affirmation and that he should do so before the date appointed for scrutiny of nominations. The respondents also did not dispute that at the commencement of scrutiny of nomination which was taken up on November 28, 1984, the petitioner by his letter, Annexure 'D' dated November 28, 1984 expressed willingness to make and subscribe an oath or affirmation and also submitted alongwith the letter an oath or affirmation in the prescribed form. It is on the above admitted facts that the question whether the Returning Officer was right in rejecting the nomination paper of the petitioner has to be decided.

The only issue which is required to be decided in this petition is whether the Returning Officer was justified in rejecting the nomination paper of the petitioner.

The relevant provision of the Representation of the People Act, 1951 (hereinafter called 'the Act') for our purpose is section 36 (2) which reads as under:—

"36(1) xxx xxx xxx

- (2) The returning officer shall then examine the nomination papers and shall decide all objections which may be made to any nomination and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, reject and nomination on any of the following grounds:—

- (a) that on the date fixed for the scrutiny of nominations the candidate either is not qualified or is disqualified for being chosen to fill the seat under any of the following provisions that may be applicable, namely:—

Articles 84, 102, 173 and 191,

Part II of this Act, and sections 4 and 14 of the Government of Union Territories Act, 1963

- (b) that there has been a failure to comply with any of the provisions of section 33 or section 34; or
- (c) that the signature of the candidate or the proposer on the nomination paper is not genuine.

- (3) xxx xxxx xxx
- (4) xxx xxxx xxx
- (5) xxx xxxx xxxx
- (6) xxx xxxx xxx
- (7) xxx xxxx xxx
- (8) xxx xxxx xxx

under sub-section (2) of section 36, one of the grounds on which a nomination can be rejected is that on the date fixed for scrutiny of nominations the candidate is not qualified for being chosen to fill the seat under Article 84 of the Constitution. The relevant part of Article 84 is as under:—

"84. A person shall not be qualified to be chosen to fill a seat in Parliament unless he—

- (a) is a citizen of India, and makes and subscribes before some person authorised in that behalf by the Election Commission an oath or affirmation according to the form set out for the purpose in the Third Schedule;

- (b) xxxx xxxx
- (c) xxxx xxxx"

The expression "on the fixed for scrutiny" in sub-section (2) of section 36 came up for consideration before the Supreme Court in Pashupati Nath v. Harihar Prasad, A.I.R. 1968 SC 1064. The Supreme Court held that this expression means "on the whole of the day on which the scrutiny of nomination had to take place". In other words, the qualification must exist from the earliest moment of the day of scrutiny. It was observed that on the date of the scrutiny the Returning Officer has to decide the objections and the objections have to be made by the other candidates after examining the nomination papers and in the light of section 36 (2) of the Act and other provisions. On the date of the scrutiny the other candidates should be in a position to raise all possible objections before the Scrutiny of a particular nomination paper starts. The Supreme Court observed that in a particular case, an objection may be taken to the form of the oath; the form of oath may have been modified or the oath may not have been sworn before the person authorised in that person behalf by the Election Commission. This decision was followed in the subsequent decision of the Supreme Court in Hussain Khan v. Hijalinappa A.I.R. 1969 SC 1934.

It is thus clear from the Supreme Court decisions referred to above that a candidate seeking to contest election to the House of People was required to make and subscribe an oath or affirmation as required by Article 84 (a) of the Constitution before the date appointed for scrutiny of nominations and if he fails to do so he would not be qualified to contest the Section. If a candidate fails to make or subscribe an oath or affirmation before the date appointed for scrutiny of nominations, his nomination was liable to be rejected. In the instant case admittedly the petitioner had not made and subscribed an oath or affirmation before the date appointed for scrutiny of nominations. The Returning Officer knew his attention to this fact by addressing letter, Annexure 'E', dated November 22, 1984. The petitioner, however, chose not to make and subscribe an oath or affirmation. On the contrary, in his reply, Annexure 'C', dated November 22, 1984 he took up a stand that it was not necessary for him to make and subscribe an oath or affirmation as suggested by the Returning Officer in his letter, Annexure 'B'. Admittedly, the petitioner did not make and subscribe an oath or affirmation till commencement of scrutiny by the Returning Officer on November 28, 1985, the date appointed for scrutiny of nominations. It is true that he was willing to make and subscribe an oath or affirmation on the date appointed for scrutiny of nominations but that was too late and even if he had made and subscribed an oath or affirmation on that date it could not have cured the defect in the nomination paper. He had to be qualified on the date appointed for scrutiny of nominations and he would not be so qualified if he had not made and subscribed an oath or affirmation as required by Article 84 of the Constitution, under the circumstances, the only view which can be taken is that the petitioner was not qualified to contest the election. His nomination paper was rightly rejected by the Returning Officer, I, therefore, answer the

issue framed for determination in the affirmative. The result, therefore, is that this petition deserves to be dismissed.

The petition is accordingly dismissed with costs. Costs quantified at Rs. 1,000/- for each of the respondents. Costs shall be paid out of the amount deposited by the petitioner.

Sd/-
(SURESH C. SHAH)
Stamp.
6-8-85

Attested True Copy.
Deputy Registrar,
7th day of Aug., 1985.

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
ELECTION PETITION NO. 2 of 1985

Election Petition under section 80, 80(A), 81 and 100 of the Representation of the People Act 1951, Challenging Parliamentary election to 2-Surendranagar Parliamentary Constituency.

Satubha K. Vaghela,
residing at Surendranagar —Petitioner,
V/s.

1. Zala Digvijaysinhji Pratapsinhji,
Rajmahel, Vankaner, Pin Code 363621.

2. The Returning Officer,
2-Surendranagar,
Parliamentary Constituency,
Collector Office,
Surendranagar.

—Respondents.

Coram: R.C. M. MANKAD J.
(July 10, 1985)

Upon the above petition having been called out for final hearing on 10th of July, 1985, and upon hearing Mr. P.S. Champaneri for the petitioner, Mr. D.D. Vyas for respondent No. 1 and Mr. R.M. Vin. Government Pleader for respondent No. 2. This Court for the reasons recorded in the judgement DOTH ORDER that the petition be and is hereby dismissed with costs. This Court doth further order that Costs be quantified at Rs. 1,000/- for each of the respondents.

Witness Puliyangudj Ramayapillai Gokulkrishan, Esquire Chief Justice at Ahmedabad aforesaid this 10th day of July, one thousand nine hundred and eighty five.

By order of the Court
Sd/- (SURESH C. SHAH)
Deputy Registrar (I).

Seal

This 7th day of August, 1985.

नई दिल्ली, 7 सितम्बर, 1985

आदेश

आ. अ. 61:—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट लोकसभा/विधानसभा के निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र में हुआ है, स्तम्भ (4) में उनके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्गत बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा उपदिष्ट रूप में अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहा है;

और उक्त अभ्यर्थियों ने सम्यक् सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-A के अन्तर्गत में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

सारणी

क्रम सं०	निर्वाचन का विवरण	संसदीय निर्वाचन क्षेत्र की क्र० सं० और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निरर्थता का कारण
1.	लोकसभा का साधारण निर्वाचन	1—कामरागोड	श्री टी० वी० मेवस्तानय थेक्कियल हाउस डाकघर थय्येनी, (बाया) चेरूपूसा, केरल।	वांछित रूप में लेखा दाखिल करने में असफल रहे।
2.	तदैव	7—पालघाट	1. श्री एम० माणिकसन मन्त्रिककाड, केल्वापुल्ली (डाकघर) पालघाट, जिला केरल। 3. श्री ए० टी० चामिमार,, वाडकाथरा, कोजीकोड डाकघर, मकान सं वी/119/पी पी-678621. पालघाट, जिला केरल	तदैव तदैव
3.	तदैव	8—ओटापालम (अ जा)	1. श्री सी आरु पुलकण्ड, डाकघर मुथलामडा, पालघाट केरल। 2. श्री ई० टी० सुब्रमणियन, अन्तकाल देसम डाकघर, पोरकालेगडे बाया कुन्नामकुलम , केरल।	वांछित रूप में यथासमय लेखा दाखिल करने में असफल रहे।
4.	तदैव	20—त्रिवेन्द्रम	श्री जयदेव पी० ए० टी० सी० 14/1357, पालायामगार्ड, वक्षुयाकोड, त्रिवेन्द्रम, केरल।	तदैव

[सं 76/केरल-सो सं०/85]

आवेश द्वारा,

धर्म वीर, सचिव,

भारत निर्वाचन आयोग

New Delhi, the 7th September, 1985

ORDER

O.N. 61.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the House of the People/Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses in the manner/has not lodged the account at all as shown in column (5) of the said Table as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representation made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10 (A) of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen, and for being, a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

TABLE

S. No.	Particulars of election	S. No. & Name of constituency	Name of the contesting candidates	Reason for disqualification
1	2	3	4	5
1.	General Election to the House of the People	1—Kasaragod	Shri T.M. Sebastian Thekkeal House P.O. Thayyeri, (Via) Cherupuzha (Kerala)	Failed to lodge the account in the manner
2.	-do-	7—Palghat	1. Shri M. Manikken Manthrikkad, Kallepully (PO), Palghat District, Kerala. 2. Shri A.T. Chamiyar, Vadukathara Kanjikode P.O. H. No. V/119/PP-678621 Palghat District, Kerala.	-do- -do-
3.	-do-	8—Ottapalan (SC)	1. Shri C. Aru Poolakkad, P.O. Muthalamada, Palghat, Kerala. 2. Shri E.T. Subramanian, Annakkal Desom P.O. Porkalengade, Via Kunnamkulam, Palghat, Kerala.	Failed to lodge the account in time and in manner Failed to lodge the account in the manner
4.	-do-	20—Trivandrum	Shri Jaydev P.A. 14/1357, Palayamward, Vazhuthacaud, Trivandrum, Kerala.	-do-

[No. 76/KL-HP/85]

By Order,

DHARAM VIR, Secy.
Election Commission of India

नई दिल्ली, 5 सितम्बर, 1985

आ० अ० 62 :—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 22 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्वाचन आयोग एतद्वारा यह निदेश देता है कि तारीख 15 अक्टूबर, 1984 की अपनी अधिसूचना सं. 434/प० बं०/84/(2) में निम्नलिखित संशोधन किए जाएंगे अर्थात् :—

उक्त अधिसूचना से संलग्न सारणी के स्तम्भ 2 में—

(क) मद सं '41—बोलपुर', के सामने "13—उप-खण्ड मजिस्ट्रेट, बोलपुर" और

(ख) मद सं '42—बीरभूम (अ० जा०)' के सामने "उप-खण्ड मजिस्ट्रेट, सदर, बीरभूम" प्रविष्टि रखी जाएगी।

[सं० 434/प० बं०/85 (2)]

आदेश से,

टी० डी० गुप्ता, अवर सचिव
भारत निर्वाचन आयोग

New Delhi, the 5th September, 1985

O.N. 62.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby directs that the following amendment shall be made in its notification No. 434/WB/84 (2) dated the 15th October, 1984, namely:—

In Column 2 of the Table appended to the said notification:

- (a) against item No. '41-Bolpur', the entry "13-Sub-divisional Magistrate, Bolpur", and
(b) against item No. '42-Birbhum (SC)', the entry "10-Subdivisional Magistrate, Sadar, Birbhum" shall be added.

[No. 434/WB/85 (2)]
T.D. GUPTA, Under Secy.
Election Commission of India

नई दिल्ली, 9 सितम्बर 1985

आदेश

आ० अ० 63 :—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट हिमाचल प्रदेश विधान सभा के निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र दे दूँगा है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा लड़ने बताए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा उपर्युक्त रूप में अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहा है;

और उक्त अभ्यर्थियों ने सम्पत्क सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण, नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद् के किसी भी सदन के या राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

सारणी

क्र. सं०	निर्वाचन का विवरण	संसदीय निर्वाचन-क्षेत्र की क्र० सं० और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निरर्हता का कारण
1.	हिमाचल प्रदेश विधानसभा का साधारण निर्वाचन, 1985.	38-जसवां	श्री मुरलिवर सिंह बिहवाल, ग्राम व डाकघर दोदा सिवा, तहसील देहरा, जिला कांगड़ा, हिमाचल प्रदेश.	लेखा दाखिल नहीं किया
2.	तदैव	49-कांगड़ा	श्री योगराज, ग्राम बुम्ताल, डाकघर बरंगह, तहसील एवं जिला कांगड़ा, हिमाचल प्रदेश	-तदैव-
3.	तदैव	30-चिन्तपुरनी	श्री रणजीत सिंह, ग्राम एवं डाकघर अम्ब जिला ऊना, (हिमाचल प्रदेश)	-तदैव-
4.	तदैव	तदैव	श्री राम लोक, ग्राम माखो, डाकघर नेहरियां, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश	-तदैव-
5.	तदैव	51-बानीखेत	श्रीमती बिमला महाजन, मूहल्ला चौगान, वार्ड सं. 11, डाकघर व जिला चम्बा हिमाचल प्रदेश	-तदैव-
6.	तदैव	18-पांवटा दून	श्री मुहम्मद इस्माइल, वार्ड संख्या 3, पांवटा साहिब, जिला मिरमौर, हिमाचल प्रदेश	-तदैव-
7.	तदैव	29-गगरेट (अ० जा०)	श्री उधम सिंह, ग्राम व डाकघर डंगरह, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश	-तदैव-

New Delhi, the 9th September, 1985

ORDERS

O.N. 63.—Whereas the Election Commission is satisfied that the contesting candidates specified in column (4) of the Table below at the election to the Himachal Pradesh Legislative Assembly as specified in column (2) and held from the constituency correspondingly specified in column (3) against their names have failed to lodge accounts of their election expenses, as shown in column (5) of the said Table, as required by the Representation of the People Act, 1951 and the rules made thereunder;

And whereas the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

TABLE

S. No.	Particulars of election	S. No. & name of Constituency	Name and address of the candidate	Reason for disqualification
1.	General Election to the Himachal Pradesh Legislative Assembly, 1985.	38—Jaswan	Shri Surinder Singh Bihal, Village and P.O. Doda Siba, Tehsil-Dehra, District Kangra, Himachal Pradesh.	Account not lodged
2.	-do-	49—Kangra	Shri Yog Raj R/o Village Bussal, P.O. Baroh, Tehsil and Dist. Kangra, Himachal Pradesh	-do-
3.	-do-	30—Chintpurni	Shri Ranjit Singh, Village & P.O. Amb, District Una	-do-
4.	-do-	-do-	Shri Ram Lok, Village Makho, P.O. Nehrian, Tehsil Amb, District Una	-do-
5.	-do-	51—Banikhet	Smt. Bimla Mahajan, Mohalla Cho-Wgan, Ward No. 11, P.O. & District Chamba, Himachal Pradesh	-do-
6.	-do-	18—Paonta Doon	Mohammad Ismail, Ward No. 3, Paonta Sahib, District Sirmaur Himachal Pradesh	-do-
7.	-do-	29—Gagret (SC)	Shri Udham Singh, Village & P.O. Dangoh, Tehsil Amb, District Una, Himachal Pradesh	-do-

आ. अ. 64:—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट दिल्ली, संघ राज्य क्षेत्र, लोक सभा के निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (4) में इसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा अवेक्षित उक्त सारणी के स्तम्भ (5) में यथा उपदर्शित रूप में अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहा है;

और उक्त अभ्यर्थियों ने सम्यक् सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

सारणी

क्रम	निर्वाचन का विवरण	निर्वाचन क्षेत्र की क्र. सं. तथा नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम तथा पता	निरर्हता का कारण
1	2	3	4	5
1.	लोक सभा का साधारण निर्वाचन	4-पूर्वी दिल्ली	श्री अब्दुल हमीद, 15/61, त्रिलोक पुरी, दिल्ली।	लेखा दाखिल नहीं किया गया
2.	तदेव	तदेव	श्री अमरजीत, 9/7232, गांधी नगर, दिल्ली।	तदेव
3.	तदेव	तदेव	श्री ओम प्रकाश, जे-37, करतार नगर, दिल्ली।	तदेव
4.	तदेव	तदेव	श्री कृष्ण कुमार, 246, डी.डी.ए. जनता फ्लैट, मन्द नगरी, दिल्ली।	तदेव
5.	तदेव	तदेव	श्री जसराम, 240/बी/5, मन्द नगरी, दिल्ली।	तदेव
6.	तदेव	तदेव	श्री जे.पी. जैन, 172, तेलीबारा, शाहदरा, दिल्ली।	तदेव
7.	तदेव	तदेव	श्री बलकर सिंह, 163-ए-2, रघुबरपुरा, नं. 1, दिल्ली।	तदेव
8.	तदेव	तदेव	श्री राकेश चन्द्र, 134/1, किशन गंज।	तदेव
9.	तदेव	तदेव	श्री राजेन्द्र, ए-55, मार्श गोंडा, दिल्ली।	तदेव
10.	तदेव	तदेव	श्री राधे श्याम, क्यू-6/105, मंगोल पुरी, दिल्ली।	तदेव
11.	तदेव	तदेव	श्री राम लुभाया, 46/6ए, पूर्वी आजाद नगर, दिल्ली।	तदेव
12.	तदेव	तदेव	श्री जे.सी. रैना, 16-गोविन्द खुर्द, विश्वकर्मा नगर, दिल्ली।	तदेव
13.	तदेव	तदेव	श्री वेद प्रकाश, 328, राम नगर, कृष्ण नगर, दिल्ली।	तदेव

1	2	3	4	5
14.	लोक सभा का साधारण निर्वाचन	4-पूर्वी दिल्ली	श्री मनेन्द्र कुमार, 824-25, भगेश नगर, शकनपुर, दिल्ली ।	लेखा दाखिल नहीं किया
15.	तदैव	6-दिल्ली सदर	श्री मरूप सिंह, 17/69, धान सिंह नगर, आनन्द पर्वत, नई दिल्ली ।	तदैव
16.	तदैव	तदैव	श्री सुभाष गुप्ता, 25/25, शक्ति नगर, दिल्ली ।	तदैव
17.	तदैव	तदैव	श्री भद्रधन सिंह, छी-42, स्वतन्त्र भारत मिल्ज क्वार्टर्स, दिल्ली ।	तदैव
18.	तदैव	तदैव	श्री जगदीश लाल, 5/28, मोती नगर, दिल्ली ।	तदैव
19.	तदैव	5-चांदनी चौक	श्री जन्मल खां, आई.पी. डिपो, 3 डी.टी.सी. आफिसर्स फ्लैट्स, नई दिल्ली ।	तदैव
20.	तदैव	तदैव	श्री अलीमद्दीन, 2542, बारादरी, बलीभारत, दिल्ली ।	तदैव
21.	तदैव	तदैव	श्री पी. आर. एन्थोनी, 1935/18, कटरा शेखचन्द, लाल ग्रा, दिल्ली ।	तदैव
22.	तदैव	तदैव	श्री कालू राम, कटरा नं. 1786, मकान नं. बी/7, कटरा आत्मा राम, चमेलियन रोड, नई दिल्ली ।	तदैव
23.	तदैव	तदैव	श्री किशन कुमार, रम्पोपी, 2032, गली बर्फ वाली, कितारी बाजार, चांदनी चौक, दिल्ली ।	तदैव
24.	तदैव	तदैव	श्री कृष्ण मोहन, 127, गढीधिया माफिट, खानी बावली, दिल्ली ।	तदैव
25.	तदैव	तदैव	श्री धनपत राय भारती, 1768-69, बस्ती जुलहन; सदर बाजार, दिल्ली ।	तदैव
26.	तदैव	तदैव	श्री पुरन चन्द गोला, 3807, चौक गाहगंज, अजमेरी गेट, दिल्ली ।	तदैव
27.	तदैव	तदैव	डा. मदन लाल गायल, भाव स्याला, दिल्ली ।	तदैव
28.	तदैव	तदैव	श्री रवि राम, आर. जेड-16ए/15-ई, भात पुर, गली नं. 3, नई दिल्ली-46 ।	तदैव
29.	तदैव	तदैव	श्री राजेश जैन, 1003, कुवां बटवा, चांदनी चौक, दिल्ली ।	तदैव

1	2	3	4	5
30.	लोक सभा का साधारण निर्वाचन।	5-चांदनी चौक	श्री रोहतास कुमार, खंगवाल, 245, गली कादलेवांसा, फतेहपुरी, दिल्ली।	लेखा दाखिल
31.	तदेव	तदेव	श्री सन्तोष कुमार, 1877, कूचा खयालीराम, बाजार सीताराम, दिल्ली।	तदेव
32.	तदेव	तदेव	श्री सत्य प्रकाश, 4533, गली बाल मण्डी, पहाड़गंज, दिल्ली।	तदेव
33.	तदेव	तदेव	श्री यशपाल कश्यप, 4003, बगीची रामचन्द्र, दिल्ली।	तदेव
34.	तदेव	तदेव	श्री अमित जैन, 1-कौशल्या पार्क, नीलम जैन होसिकस, नई दिल्ली।	तदेव

[सं. 76/दिल्ली-लोकसभा/85 (3)]

आदेश से,
आर. पी. भल्ला, सचिव,
भारत निर्वाचन आयोग

O.N. 64.—Whereas the Election Commission is satisfied that the contesting candidates specified in column (4) of the Table below at the election to the House of the People from the Union Territory of Delhi as specified in column (2) and held from the constituency correspondingly specified in column (3) against their names have failed to lodge accounts of their election expenses, as shown in column (5) of the said Table, as required by the Representation of the People Act, 1951 and the rules made thereunder;

And, whereas the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order;

TABLE

S. No.	Particulars of election	S. No. & name of constituency	Name and address of the candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the House of the People, 1984	4-- East Delhi	Shri Abdul Hamid, 15/61 Trilok Puri, Delhi.	Account not lodged
2.	-do-	-do-	Shri Amarjit, 9/7232 Gandhi Nagar, Delhi.	-do-
3.	-do-	-do-	Shri Om Parkash, J-37-Kartar Nagar, Delhi	-do-

1	2	3	4	5
4.	General Election to the House of the People, 1984	4-East Delhi	Shri Krishan Kumar, 246, D.D.A., Janta Flats, Nand Nagri, Delhi	Account not lodged
5.	-do-	-do-	Shri Jas Ram, 240/B/5, Nand Nagri, Delhi	-do-
6.	-do-	-do-	Shri J.P. Jain, 172, Teliwara, Shahdra, Delhi	-do-
7.	-do-	-do-	Shri Balkar Singh, 163-A-2, Ragubarpura, No. 1, Delhi	-do-
8.	-do-	-do-	Shri Rakesh Chander, 134/1, Kishan Ganj, Delhi	-do-
9.	-do-	-do-	Shri Rajender, A-55, North Gonda, Delhi	-do-
10.	-do-	-do-	Shri Radhey Shyam, Q-6/105, Mangol Puri, Delhi	-do-
11.	-do-	-do-	Shri Ram Lubhaya, 46/6A, East Azad Nagar, Delhi	-do-
12.	-do-	-do-	Shri J.C. Raina, 16-Gobind Khurd, Vishwakarma Nagar, Delhi	-do-
13.	-do-	-do-	Shri Ved Parkash, 328, Ram Nagar, Krishna Nagar, Delhi	-do-
14.	-do-	-do-	Shri Satender Kumar, 824-25, Ganesh Nagar, Shakarpur, Delhi	-do-
15.	-do-	6-Delhi Sadar	Shri Saroop Singh, 17/69 Than Singh Nagar Anand Parbat, New Delhi	-do-
16.	-do-	-do-	Shri Subash Gupta, 25/25, Shakti Nagar, Delhi	-do-
17.	-do-	-do-	Shri Shatru Ghan Singh, D-42, Sawtantar Bharat Mill Qrs, Delhi	-do-
18.	-do-	-do-	Shri Jagdish Lal, 5/28, Moti Nagar, Delhi	-do-
19.	-do-	5-Chandni Chowk	Shri Afjal Khan, I.P. Depot, 3 D.T.C. Officer Flats, New Delhi	-do-
20.	-do-	-do-	Shri Alleemudin, 2542, Bara Dari, Ballimaran, Delhi	-do-

1	2	3	4	5
21.	General Election to the House of the People, 1984	5—Chandni Chowk	Shri P.R. Anthony, 1935/18, Katra Sekh Chand, Lal Kuan, Delhi	Account not lodged
22.	-do-	-do-	Shri Kahu Ram, Katra No. 1786, H. No. B/7 Katra Atma Ram, Chamelian Road, Delhi	-do-
23.	-do-	-do-	Shri Kishan Kumar Rastogi, 2032, Gali Baraf Wali, Kinari Bazar, Chandni Chowk, Delhi.	-do-
24.	-do-	-do-	Shri Krishan Mohan, 127, Gadodia Market, Khari Baoli, Delhi	-do-
25.	-do-	-do-	Shri Dhanpat Rai Bharti, 1758-69, Basti Julahan, Sadar Bazar, Delhi	-do-
26.	-do-	-do-	Shri Paran Chand Gola, 3807, Chowk Shahganj, Ajmeri Gate, Delhi	-do-
27.	-do-	-do-	Dr. Madan Lal Goel, Village Rithala, Delhi	-do-
28.	-do-	-do-	Shri Rati Ram RZ-16A/15-E, Sagarpur, St. No. 3, New Delhi	-do-
29.	-do-	-do-	Shri Rakesh Jain, 1003, Kucha Natwan, Chandni Chowk, Delhi	-do-
30.	-do-	-do-	Shri Rohtas Kumar Khangwal, 245-Gali Kadleswasha, Fatehpuri, Delhi	-do-
31.	-do-	-do-	Shri Santosh Kumar, 1877, Kucha Khyali Ram, Bazar Sita Ram, Delhi	-do-
32.	-do-	-do-	Shri Satya Parkash, 4533-Gali Dal Mandi, Pahar Ganj, Delhi	-do-
33.	-do-	-do-	Shri Yash Paul Kashyap, 4003, Bagichi Ram Chander, Delhi	-do-
34.	-do-	-do-	Shri Amit Jain, 1-Kaushalya Park, Neelam Jain Hoesks, New Delhi	-do-

[No. 76/DL-HP/85 (3)]

By Order,
R.P. BHALLA, Secy.
Election Commission of India